

REACTION OF SOCIETY IN PERSPECTIVE OF CRIMINOLOGY CONCEPTION FOR CRIME PREVENTION

By Faisol Azhari, S.H., M.Hum

Lecturer of Faculty of law of Unissula

E-mail : bondet.overseas@yahoo.co.id

Abstract

The prevention of crime is also explained by Criminology. So that Criminology is also include the study of the reaction of society against crime. It might be argued that this belongs, strictly speaking to the domain of sociology of the criminal law but it has to be admitted that the reaction of the state which is the subject matter of penology. They are both strongly by criminogenic forces and should therefore be studied by criminologist. Edwin H Sutherland and Cressey said that the prevention of crime or the reaction of society against crime include within criminology scope the processes of making laws of breaking laws and of reacting toward the breaking laws.

The reraction of society against crime include to critize the punitifly of the social reaction and the treatment of raection of society against crime. The reaction of society against crime is also about social perseption about social order and development of perseption of society for social order is depend on development of society which consist of traditional society and modern society.

Keyword : *Concept of Crime prevention, Reaction of society against crime*

A. Background

Criminology is a science to talk about crime as social phenomen. Therefore crime is behavior. As mentioned above Criminology also analyze about process of legal forming. Legal violation and formal social reaction for crime like process of criminal justice system.

Accordance with development of Criminology science really Criminology need the other sciences to support it in analyzing about crime and crime causation like Anthropology criminal, Phsicology criminal, Phsichiatry criminal, Sociology criminal, Jurism criminal, Statistical criminal, Penology, Jurnalism etc. Therefore Criminology is namely as The king without country.

According to Mulyana W Kusuma there are four approach to analyze about crime and they are Biogenic approach, Phsychogenic approach, Sociogenic approach and Typologic approach. Biogenic is approach to expalin crime causation based on factors of biologic. Phsychogenic is approach to expalin crime causation based on factors of Phych of offenders of crime. Sociogenic is approach to explain crime causation based on social structures and or components of cultural systems in society. Typology is approach to expalin crime causation based on type of offenders of crime as member of society, social function and how far crime is as part of life of people.

Therefore as explained above Criminology as one of social sciences is needed so much and being important to form and or reforming the criminal law. According to Hermann Mannheim in Pioneer in Criminology there were three types of Criminology scope analyzed and they were the problem of detecting the law breaker, the problem of custody and treatment of the offender, the problem of explaining crime and criminal behavior or the problem of scientifically accounting for the presence of crime and criminals in a society. As mentioned above Criminology is a science of multidiciplinair science and interdisciplinair science and not monodiciplinair science.

In the criminal law enforcement really the criminal policy will create larger purpose, social welfare and social defence. Therefore Criminology does not analyze its background of crime only but it also analyzes about reaction of society for crime and or violation. According to Hermann Mannheim Criminology should (also) include the study of the reaction of society against crime. Therefore talking about perspective of crime prevention and the reaction of society for crime are as same as important in creating national legal development and special for criminal law reform.

B. Problematic

What is the reaction of society include persepction of society in Criminology conception for crime and crime prevention?

C. Analyzing

C.1. Reaction of society for crime and crime causation

In retaining problem of reaction of society for crime and the offenders in development of Criminology science are very important. Therefore in analyzing about crime and crime causation Criminology science is not limited about its background of crime only or legal violation or the other social norm violation without taking attention investigation and the reaction of society for crime and offender of crime.

Really the reaction of society for crime is an emotional of society. People will react hard soon and authomatically when they get blamable treatment and victim like murder, raping, offence, revolt, unorder etc that resulting in the hard reaction of society. Although its form and its quality are so relative. Therefore the reaction of society is one of subjects retained and analyzed by Criminology science too and the reaction of society is a process. Actually there are variouuses of reaction of society for crime and offender of crime and namely as punitive for reaction of society and treatment for reaction of society.

One of punitive approaches is punishment. As a punishment method in effort of crime prevention, according to Edwin H Sutherland and Cressey when the punitive reaction to crime was most populer, the usual assumption was that severe punishment both reforms those who are punished and deters or prevents others from committing first crimes. Even today, legislative commision appointed to mage suggestions to reduce crime rates to measures designed to increase severity of punishment.

Although the punishment method is important in punitive approach for reaction of society actually there are many argumentations that refusing the punishment method for reaction of society for crime and offender of crime.

According to Edwin H Sutherland and Cressey (1) Punishment often isolates the individual who is punished and makes him a confirmed enemy of society and his influence may extend to other individuals, (2) Punishment develops causation a painful experience will make most persons think twice before they repeat the behavior. The actor has been made cautions by previous suffering but he has not been reformed and anticipated consequences of current systems for punishing criminals might be cautionsness not reformation, (3) Punishment created other unanticipated attitudes even if some acts were known to be preventable by punishment, this prevention would not necessarily prove that punishment has promoted the social welfare, (4) Punishment often gives offenders high status, in states whose prison are scaled from tough maximum security institutions down to relaxed minimum-security institutions youthful offenders frequently request assignment to the maximum security institutions because such assignment will result in high status among their friends when they are released, (5) Punishment generally stops constructive effort.

So that in using the punishment method for reaction of society for offender of crime or the actor, it is also needed in effort of crime prevention. Donald Clemmer (in the prison community) said that there were supporting factors to form inmate subculture or informal social system.

As mentioned above about the refusing argumentation for punishment method and based on the refusing reason above in development of reaction of society for crime and offender of

crime then it makes other method and that is namely as treatment method.

Actually the treatment method is depend on theories of crime causation in making efforts to find impacts of crime that need form of nonpunitive for reaction of society. In this case Criminology in perspective of crime prevention is effort of crime elimination through treatment method in nonpunitive for reaction of society. But through the treatment method (in this nonpunitive for reaction of society) it does not mean that punishment method not used again. Because they both are as same as strong and important to apply effort of treatment method for crime elimination or crime prevention.

C.2. Crime Prevention

Actually the prevention of crime is part of Criminology materials. We know that Criminology is science to analyze about crime and offender of crime and include punishment and treatment for offender of crime and criminalistical problem.

According to Wolfgang, Savitr and Johnson Criminology is a science that to apply certain methods to analyze about factors influencing crime, crime, offender of crime and also reaction of society. There are two systems that used to eliminate crime and they are moralistic and abolitionistic.

Abolitionistic is effort to eradicate and to eliminate crime and anticipating crime causation and also impacts of crime. Moralistic is effort of crime prevention through religious aspect, morality etc to control behavior not to be crime. According to IS Susanto in problematic of crime and crime causation really the object of purpose of crime prevention is crime and offender of crime not to be recidivist. Furthermore Bercarria (in Dei delitti E' delle pene)

said that the prevention of crime is better than punishment of crime.

C.3. Perception of social order by society

Development of perception of society for social order (as one of reaction of society) is dependent on development of society which that consist of traditional society and modern society.

In social perception of traditional society that is offence for traditional law and or being offence for social balancing. Special for social perception of traditional society, offender and family who involving norm of society will get punishment. In the meantime the social perception of modern society is offence for rule or regulation. That means there is deference among those perspectives of social order.

For modern society, punishment is given by state to defend public interest and eliminating other people to do the same legal violation. Furthermore, state also gives rehabilitation for offender of crime. Therefore in perspective of social order, two types as mentioned above perspective of social order at traditional society take attention at collectivism and in perspective of social order at modern society take attention at individualism.

In national development perspective of social order is part of legal functions and according to Romli Atmasasmita in modern legal development perspective of social order is a political will and that is mentioned in GBHN (in Indonesia). We know that actually in the legal consciousness people do not yet understand the legal function as mentioned in GBHN. And actually they trust the rule and regulation as the best solution to solve social problem. According to Soedarto that perception of society as mentioned above is legal dogmatic.

Perseption of social order in life of society that taking attention at individualism is same as defense for individual rights or the measures of social order is taken at offence of individual rights. John sutart Mill said that a state which does too much for its citizens hampers the cultivation of individuality at the expense of social progress. According to Romli atmasasmita in perseption of Soviet people that taking attention at collectivism for social order it is explained that the rules of Soviet criminal law which is an important part of Soviet socialist law regulate the struggle against crime. They determine which socially dangerous act are crimes and prescribe the penalties to be imposed on offenders. Soviet criminal law reflects the principle of socialist humanism inherent in the Soviet state and law.

D. Summary

Criminology is a science to analyze about crime causation as social construction and reaction of society for crime and offender of crime. Therefore explaining of the prevention of crime is important part of Criminology science analyzed. The reaction of society is an emotional of society as result of blamable act received by society as illegal act or violation act, unorder etc. In the reaction of society in perspective of crime prevention there are methods and they are punitive method and treatment method. The reaction of society against crime is also about perseption of society about social order is depent on development of society which consist of traditional society and modern society. Based on statement as mentioned above Criminology does not analyze its background of crime only but it also analyzes about the reaction of society for crime and or violation. So Criminology should include the study of the reaction of society against crime.

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